

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

R.R. STREET & CO. INC. and)
NATIONAL UNION FIRE INSURANCE)
COMPANY OF PITTSBURGH, PA,)
individually and as subrogee of R.R. Street)
& Co. Inc.,)
Plaintiffs,)
v.)
VULCAN MATERIALS COMPANY, n/k/a)
LEGACY VULCAN CORP.,)
Defendant.)

Case No. 1:08-cv-01182

The Honorable Virginia M. Kendall

NOTICE OF MOTION

To: Bryan G. Schumann, Esq.
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Suite 2300
Chicago, Illinois 60606-2511

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PLEASE TAKE NOTICE that on Wednesday, May 21, 2008, at 9:00 a.m., we shall appear before the Honorable Virginia M. Kendall, or anyone sitting in her place and stead, in Room 2319, 219 South Dearborn Street, Chicago, Illinois 60604, and shall then and there present Legacy Vulcan Corp.'s Motion to Dismiss or, in the Alternative, Stay Plaintiffs' May 2, 2008 Amended Complaint, a copy of which is attached and herewith served upon you.

Dated: May 12, 2008

Respectfully submitted,

/s/Matthew T. Regan, P.C.

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*Attorneys for Defendant Vulcan Materials
Company, n/k/a Legacy Vulcan Corp.*

CERTIFICATE OF SERVICE

The undersigned, one of the attorneys for Defendant Vulcan Materials Company, n/k/a Legacy Vulcan Corp., hereby certifies that, on May 12, 2008, he caused a true and correct copy of the foregoing Notice of Motion to be filed electronically pursuant to the Court's ECF System, which will serve notice upon all counsel of record.

/s/Matthew T. Regan